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INTELLECTUAL PROPERTY LAW SECTION
PRESENTS

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INTELLECTUAL PROPERTY IN

Entertainment & Media: NEW WORLDS

JUNE 16, 2011

The Beverly Hills Hotel

9641 Sunset Boulevard,
Beverly Hills, California 90210

Program Planning Chair:

Jimmy Nguyen - Partner,
Davis Wright Tremaine LLP

Promotional Partner:



Association of Media &
Entertainment Counsel

PROGRAM SCHEDULE

8:00 - 9:00 am

REGISTRATION

Continental Breakfast provided

9:00 - 9:15 am

WELCOME and State of New Media Update

SPEAKER:

Jimmy Nguyen, Partner, Davis Wright Tremaine LLP

9:15 - 10:15 am

A NEW TRADEMARK WORLD: OPPORTUNITIES AND CHALLENGES FOR TRADEMARK OWNERS IN NEW MEDIA

Twitter and other online media and content have become a source of content for TV, motion pictures and other traditional entertainment platforms. At the same time, mobile devices have exploded as a platform for delivery of entertainment content. This panel will discuss some of the issues and opportunities created by the new distribution models as well as the ways in which entities and talent are adapting, including emerging business models, rights issues and strategies, and critical issues and strategies for mobile transactions.

MODERATOR: **Jane Shay Wald**, Partner, Irell & Manella LLP

PANELISTS:

Deborah Henderson, Director of Business and Legal Affairs, Paramount Digital Entertainment (a division of Paramount Pictures Corporation)

Adam Hime, Senior Vice President – Intellectual Property & Litigation, MTV Networks

Charles J. Steinberg, Vice President, Intellectual Property and New Media – Legal, ABC, Inc.

10:15 - 11:15 am

TWEET TO TV & THEATERS, AND BACK AGAIN: ENTERTAINMENT PROGRAMMING DERIVED FROM OR CREATED FOR TWITTER FEEDS AND SOCIAL MEDIA

The proliferation of new and social media technologies empowers content owners with more mechanisms to promote their programming and brands with powerful ways to partner with content. But it also creates significant risk for trademark abuse and infringement. In this session, top lawyers will discuss some hot trademark issues emerging in these new worlds:

- * Abuse of trademarks on Twitter, Facebook and other social media platforms
- * Trademark rights in augmented reality
- * Brand integration with multi-platform programming

MODERATOR: **Cydney A. Tune**, Counsel, Pillsbury Winthrop Shaw Pittman LLP

PANELISTS:

Chris Lockard, Corporate Counsel, Digital Media, The Clorox Company

Ken Rutkowski, President, KenRadio Broadcasting

Matthew Sugarman, Associate, Weissmann Wolff Bergman Coleman Grodin & Evall LLP

Richard Thompson, Bloom Hergott Diemer Rosenthal LaViolette Feldman Schenkman & Goodman LLP

11:15 - 11:30 am

MORNING BREAK

11:30 am - 12:30 pm

NEW GAMING WORLDS: THE REWARDS AND RISKS OF ONLINE AND SOCIAL GAMES

Video games are no longer tied to traditional game consoles. Casual and more sophisticated games have skyrocketed in new online and social media worlds. While expanding player demographics, this growth has also triggered exposure to new legal risks. In this session, game industry leaders will review:

- * Terms of use; license conditions vs. contract covenants and impact on copyright infringement
- * Issues with ownership of user-generated content in online games
- * Communications Act Decency immunity in social game worlds
- * Privacy issues with online and social gaming
- * The rise of virtual currency and virtual property
- * The future of pay-to-play digital games and online gambling

MODERATOR: **Jimmy Nguyen**, Partner, Davis Wright Tremaine LLP

PANELISTS: **Kerry Hopkins**, Senior Director, Intellectual Property, Electronic Arts, Inc.

Jay Monahan, Deputy General Counsel, Zynga, Inc.

Kent Wakeford, Executive Vice President, Corporate Development & General Counsel, Kabam, Inc.

12:30 - 1:45 pm

NETWORKING LUNCH

2:00 - 3:00 pm

THE NEW WORLD BETWEEN HOLLYWOOD & BOLLYWOOD: NEGOTIATING ENFORCEABLE CROSS-BORDER CONTENT LICENSE AGREEMENTS FOR THE WORLD'S LARGEST ENTERTAINMENT MARKETS

India and the United States are the primary suppliers of the world's entertainment content, and present new worlds of opportunity for content owners in both countries to license entertainment programming to the other. Indian-made content supplies entertainment for a billion people in India and over 40 million non-resident Indians living outside the country, along with fans of Bollywood films all over the world. Indian made and themed content has now entered the U.S. mainstream, with the success of films such as *Passage to India*, *Mississippi Masala* and the Oscar winning *Slumdog Millionaire*. The Indian television industry remains relatively young but already generates more revenue than the motion picture sector and is starved for content. Likewise, U.S. content owners also see ripe opportunity to distribute their entertainment products to the massive Indian market. Films and television programs made in the U.S. permeate the global youth culture, and are in demand in India. Because English is the default language in India, which boasts the world's fastest growing middle class, U.S.-made content is easily transported to India. American powerhouses Fox, Viacom, Disney, Sony Entertainment Television and Warner Bros. already have a significant business presence in India.

Entertainment attorneys and business affairs executives are increasingly called upon to negotiate between the two markets to license content – everything from scripts, to sequels and remake rights. But there are some material differences in the intellectual property laws between the two countries and the failure to acquire all of the relevant rights from the content creator or rights holder will have unexpected and unintended consequences. This panel will explore:

- * Material differences in the copyright and trademark laws between the U.S. and India
- * The impact on negotiating and drafting content license agreements between U.S. and Indian companies
- * Practical tips for cross-border entertainment deals between the U.S. and India

SPEAKERS: **Arnold P. Peter**, Partner, Peter Law Group

Anand Desai, Managing Partner, DSK Legal (Mumbai, India)

Gulshan Grover, Leading Bollywood Actor and Producer

Vinnie Longobardo, Former executive who launched MTV Asia as part of Star TV, Asia's first satellite television platform

3:00 - 4:00 pm

NEW WORLD BATTLES: UPDATE ON INTERNET-RELATED ENTERTAINMENT LITIGATION

As both users and content increasingly are sought over the Internet, social networks, microblogs and mobile devices, the challenges and limitations of protecting rights in new worlds continues to require creative thinking by in-house and outside lawyers, as well as by business executives. This panel will address significant recent court decisions and best practices for companies related to:

- * Secondary copyright and trademark liability, and the Digital Millennium Copyright
- * Communications Decency Act immunity and its impact on rights of publicity, gripe sites and users who tarnish the reputation of a company or individual
- * Strategies for dealing with blogs, social networks and mobile worlds
- * The new frontier of class action litigation over privacy rights and behavioral advertising

SPEAKERS: **Ian Ballon**, Partner, Greenberg Traurig LLP

Melinda Demskey Mehringer, Senior Vice President, Content Protection Litigation, Fox Entertainment Group

Intellectual Property In Entertainment and Media

June 16, 2011 • Beverly Hills, California 90210

REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

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Program package includes 5.25 hours of MCLE, program materials (online or USB jump drive ONLY), continental breakfast and lunch.

PRE-REGISTRATION FEES (check the appropriate circle)

Early Bird Deadline! Friday, June 10, 2011

- ☐ **\$395** Intellectual Property Law Section and Association of Media & Entertainment Counsel Members
- ☐ **\$470** Non-Section Members (includes enrollment in the Intellectual Property Law Section) (2011 Section Membership Included for Non-Members)
- ☐ **\$340** Per person for groups of 3 or more if registered together (submit registration forms together) by mail or fax only.
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- ☐ **\$270** Law Clerks and Paralegals (Non-Attorney)
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ON-SITE:

On-site registration opens at 8:00 a.m. and will be on a space available basis. Call to confirm space availability.

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QUESTIONS:

For registration information call (415) 538-2508. Telephone registrations will not be accepted. For program content and/or Section information call (415) 538-2071.

Intellectual Property Law Section/Conference Coordinator:

Mitch Wood

The State Bar of California, San Francisco CA
Mitch.wood@calbar.ca.gov

SPECIAL ASSISTANCE:

For special assistance, please call (415) 538-2071.

AUDIO CDs:

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EDUCATION FOUNDATION
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